

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

**F049978      In re Ruby G., a Minor**

Cause called and argued by Lynette Moore, Esq., counsel for appellant and by Kathleen McKenna, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

**F050459      Tohono O'Odham Nation v. The Superior Court of Fresno County; Fresno County Department of Children and Family Services**

Cause called and argued by Michele Fahley, Esq., counsel for petitioner and by Howard Watkins, Esq., Deputy County Counsel, counsel for real party.

Cause ordered submitted.

Court recessed until Thursday, December 7, 2006 at 1:30 P.M.

**F049397      People v. Soundara**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F049397      People v. Soundara**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048277      Sanchez et al. v. City of Modesto et al.**  
The judgment is reversed. Wiseman, J.  
We concur: Harris, Acting P.J.; Cornell, J.  
[CERTIFIED FOR PUBLICATION]
- F051661      People v. Heflin**  
IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F049978      In re Ruby G., a Minor**  
The judgment is affirmed with modifications.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F049966      Wagner Farms, Inc., et al. v. Modesto Irrigation District**  
The order denying the motion to tax costs is reversed. The matter is remanded to the superior court for further proceedings consistent with the views expressed in this opinion. Plaintiffs shall recover their costs on appeal. Dawson, J.  
We concur: Harris, Acting P.J.; Cornell, J.  
[CERTIFIED FOR PUBLICATION]
- F051509      Genesis Family Center, Inc.,**  
Let a peremptory writ of mandate issue directing the Fresno County Superior court to vacate its Order filed on October 18, 2006, in action No. F05904742-4. The stay order filed on October 31, 2006, shall remain in effect only until the trial court has complied with the above stated directions, the Supreme court grants a hearing herein or this opinion is final in all courts in this state; thereafter said order is vacated and the stay dissolved. Pursuant to California Rules of court, rule 24(b)(3), this opinion is ordered to become final only as to this court upon the date it is filed.

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By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051157      People v. Hughes**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F049776      In re Jose I., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F049776      In re Jose I., a Minor**

The judgment is reversed with respect to the order to register and affirmed in all other respects. The case is remanded to the juvenile court for a new hearing to address whether Jose's offenses were gang related.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F049694      Agri-Systems v. Foster Poultry Farms**

Appellant having failed to procure an appealable order, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.